Amendment Conference of the States Parties to the Treaty Banning Nuclear Weapon Tests in the Atmosphere, in Outer Space and under Water

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SUMMARY RECORD OF THE 9th MEETING

Held at United Nations Headquarters, New York,
on Friday, 18 January 1991, at 4 p.m.

President: Mr. ALATAS (Indonesia)

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The meeting was called to order at 5.05 p.m.

TRIBUTE TO THE MEMORY OF HIS MAJESTY OLAV V, KING OF NORWAY

1. On the proposal of the President, the participants in the Amendment Conference observed a minute of silence in tribute to the memory of His Majesty Olav V, King of Norway.

CREDENTIALS OF REPRESENTATIVES TO THE CONFERENCE (continued)

(b) REPORT OF THE CREDENTIALS COMMITTEE (PTBT/CONF/12)

2. The PRESIDENT said that, following the preparation of the report of the Credentials Committee, credentials in due form had been received from the representatives of Colombia and Costa Rica.

3. Mr. GROOP (Finland), speaking as Chairman of the Credentials Committee, introduced the report of that Committee (PTBT/CONF/12). In paragraph 8, the reference to "paragraphs 4 and 6 above" should be amended to read "paragraphs 4, 6 and 7 above". The report indicated that at its second meeting the Credentials Committee had examined and accepted the credentials of the representatives of all 94 participating States parties, on the understanding that those States parties that had not yet submitted formal credentials for their representatives would communicate them to the Secretary-General of the Conference as soon as possible.

4. The PRESIDENT said that, if he heard no objection, he would take it that the Conference decided to take note of the report of the Credentials Committee.

5. It was so decided.

ADOPTION OF FINAL DOCUMENT/REPORT OF THE CONFERENCE (PTBT/CONF/L.1 and 2)

6. Mr. MARIN BOSCH (Mexico) said that there had unfortunately been no agreement on the content of a final declaration of the Conference or a statement by the President reflecting the outcome of the Conference. Draft decision PTBT/CONF/L.1 had therefore been proposed by 9 States, which had now been joined by Senegal. Following consultations on the draft decision, the sponsors had decided to revise the text so that it read:

> "Acknowledging the complex and complicated nature of certain aspects of a comprehensive test ban, especially those with regard to verification of compliance and possible sanctions against non-compliance, the States parties were of the view that further work needed to be undertaken. Accordingly, they agreed to mandate the President of the Conference to conduct consultations with a view to achieving progress on those issues and resuming the work of the Conference at an appropriate time."

7. He requested a recorded vote on draft decision PTBT/CONF/L.1, as orally revised.

8. Mr. KENYON (United Kingdom), speaking in explanation of vote before the vote, said he regretted that the Conference had failed to reach a consensus, owing to disagreement as to whether the amendment process was an appropriate means of achieving a comprehensive test ban. His delegation believed that the question of a comprehensive test ban would be best handled by the Conference on Disarmament. The international community had the opportunity to review the progress of the Conference on Disarmament through the annual report it submitted to the General Assembly. He wished to reaffirm the United Kingdom's adherence to the partial test-ban Treaty and its desire for an eventual comprehensive test ban. The United Kingdom would, however, vote against the draft decision under consideration.

9. Mr. GARCIA-MORITAN (Argentina) said that it was most regrettable that a vote was needed on the draft decision. His delegation would vote in favour of the revised draft.

10. Mr. SALANDER (Sweden) said that he regretted the Conference's inability to reach a consensus. However, he valued the intense efforts that had resulted in the revised draft decision, which took a variety of positions into account. Although the new text was not in complete conformity with his Government's position, he would vote in favour of it.

11. Mr. BEN-RAFAEL (Israel) said that, although a consensus had not been achieved, the Conference had provided a focus and impetus for the work of the Conference on Disarmament.

12. He had planned to state that the current international climate was conducive to the conclusion of a comprehensive test-ban treaty; however, disarmament priorities had shifted because of the eruption of war in the Persian Gulf two days earlier and the missile attacks that Iraq was currently launching against Israel. Those events underscored the urgency of the regional objective of establishing a nuclear-weapon-free zone in the Middle East, particularly in view of the recent revelations of Iraq's nuclear aspirations. Although some Arab States had claimed they were in favour of a nuclear-weapon-free zone, they refused to open a dialogue with Israel on the issue. He urged all the States in the region to conduct direct negotiations with Israel to achieve that end.

13. With regard to the draft decision, his delegation had reservations on the modalities for achieving a comprehensive test ban, and would therefore abstain in the vote.

14. Mr. ERDOS (Hungary) said that the Conference had been unable to follow the usual pattern of adopting a final document by consensus, but its failure to reach a consensus was not without precedent. However, he was deeply disappointed by the unprecedented need to put the draft decision to a vote. Decisions relating to international security and disarmament should be adopted solely on the basis of the principle of consensus. His delegation could not accept the idea of voting on the issue, and would therefore abstain in the vote.

15. At the request of the representative of Mexico, a recorded vote was taken on draft decision PTBT/CONF/L.1, as orally revised.

In favour: Afghanistan, Antigua and Barbuda, Argentina, Australia, Bahamas, Bangladesh, Benin, Bhutan, Bolivia, Botswana, Brazil, Byelorussian Soviet Socialist Republic, Chile, Colombia, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, Dominican Republic, Ecuador, Egypt, El Salvador, Fiji, Gabon, Gambia, Guatemala, Honduras, Iceland, India, Indonesia, Iran (Islamic Republic of), Ireland, Jordan, Kenya, Lao People's Democratic Republic, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Malta, Mauritius, Mexico, Mongolia, Morocco, Myanmar, Nepal, New Zealand, Nicaragua, Nigeria, Norway, Pakistan, Papua New Guinea, Peru, Philippines, Samoa, Senegal, Seychelles, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Uruguay, Venezuela, Yemen, Yugoslavia, Zambia

Against: United Kingdom of Great Britain and Northern Ireland, United States of America

Abstaining: Austria, Belgium, Bulgaria, Canada, Czechoslovakia, Finland, Germany, Greece, Hungary, Israel, Italy, Japan, Luxembourg, Netherlands, Poland, Romania, Spain, Switzerland, Turkey

16. Draft decision PTBT/CONF/L.1, as orally revised, was adopted by 74 votes to 2, with 19 abstentions.

17. Mr. JESUS (Cape Verde) said that, if his delegation had been present at the time of the vote, it would have voted in favour of the revised draft decision.

18. Ms. MASON (Canada), speaking in explanation of vote after the vote, said that her delegation attached great importance to the objective of an effective and verifiable comprehensive test-ban treaty. Although the failure to reach a consensus was regrettable, the Conference had provided a useful opportunity for an exchange of views on the issue. She had been unable to support the draft decision because the text inaccurately stated that the States parties had agreed to mandate the President to take certain measures, when no such agreement had been reached. The voting process could not create an agreement, nor could it obviate the need for one. The full participation of all parties was essential to the multilateral disarmament process. She had therefore abstained in the vote on the draft decision.

19. Mr. HOEKEMA (Netherlands) said he regretted the lack of substantive results through consensus on such an important issue. Although his delegation had disagreed with the idea of holding a conference to consider an amendment that was unlikely to be adopted, it had participated in view of the importance of reviewing the question. He would have welcomed a declaration expressing the commitment of the States parties to the conclusion of a comprehensive test-ban treaty, as well as the need for the Conference on Disarmament to continue its work in that area with determination. However, the revised draft decision went too far in referring to a "mandate" for the President of the Conference. His delegation had therefore abstained in the vote.

20. Mr. FRIEDRICH (Switzerland) said that his Government supported all efforts to conclude a comprehensive test-ban treaty. However, it believed that the Conference on Disarmament was the most appropriate multilateral forum in which to pursue such efforts, because all five nuclear-weapon States were represented in that body. He had therefore abstained in the vote on the draft decision. It was regrettable that the Amendment Conference had been unable to adopt a final document by consensus. He hoped that the Conference on Disarmament would take into account the views expressed at the Amendment Conference, and that more countries would participate in the Ad Hoc Group of Scientific Experts at the Conference on Disarmament.

21. Mr. KEMPEL (Austria) said that his country continued to attach the highest importance to the early conclusion of a comprehensive test-ban treaty and to the need to examine a variety of unsolved problems relating to such a treaty. He had abstained in the vote on the draft decision because it sought to continue the work of the Conference in an unacceptable way and to reflect an agreement which had not, in fact, been reached. Although the ideal outcome of the Conference would have been the adoption of a final document by consensus, the Conference had nevertheless provided catalytic input for efforts to conclude a comprehensive test-ban treaty.

22. Ms. HOINKES (United States of America) said that her negative vote on the revised draft decision in no way reflected a lack of appreciation for the President's work during the Conference. Her Government attached the highest importance to the partial test-ban Treaty, and its opposition to the idea of amending the Treaty had been clear from the beginning of the Amendment Conference, which had not contributed to the continued viability of the partial test ban currently in effect. As a depositary of the Treaty, the United States had recognized the right of one third of the States parties to the Treaty to require the convening of the Amendment Conference. Despite its opposition to the amendment on both procedural and substantive grounds, the United States, as a party to the partial test-ban Treaty, had participated in the Amendment Conference and had listened carefully to the widely-varying views of the other States parties.

23. Although the United States remained committed to the long-term objective of a comprehensive test ban, such a ban could not be viewed in isolation from the current world situation and from the continued dependence of the United States on nuclear deterrence. However, her country looked forward to a world in which nuclear arsenals could be reduced and nuclear testing would not be required, and would therefore contribute to the efforts being made in the Conference on Disarmament to achieve an eventual comprehensive test-ban treaty.

24. Mr. GROOP (Finland) said that his country had long supported the conclusion of a comprehensive test-ban treaty. His abstention in the vote on the draft decision reflected his views on the best means of achieving such a treaty, not on the desirability of the goal itself. Although the lack of consensus was regrettable, the Conference had provided a useful forum for an exchange of views on the issue. He trusted that the Conference on Disarmament would continue its work to achieve the goal of a comprehensive test-ban treaty.

25. Mr. VALDERRAMA (Philippines) said that, as a sponsor of both the original and the revised version of the draft decision, his delegation had voted in favour of the draft, on the understanding that the consultations to be conducted by the President would include a working group to consider verification of compliance with a comprehensive test-ban treaty; ideally, the working group would meet during the forty-sixth session of the General Assembly. In addition, his delegation believed that the appropriate time for the resumption of the Amendment Conference would be no later than September 1993, or two years before the fifth and final review of the non-proliferation Treaty.

26. Mr. PAWLAK (Poland) said he regretted that, despite all efforts, it had been impossible to reach agreement on the conclusion of a comprehensive test-ban treaty. The decision just adopted did not offer a useful approach, and his delegation had therefore abstained in the vote.

27. Mr. KAYSER (Luxembourg) said that further negotiations would be needed in order to produce a comprehensive test-ban treaty. His delegation had abstained in the vote because it felt that the consultations in question must include all five major Powers and not just the three represented at the Conference.

28. Mr. FRANCESE (Italy) said that the Amendment Conference had proved useful as a review conference. Although his delegation had abstained in the vote because of the lack of consensus, it looked forward to future progress on a comprehensive test-ban treaty in the context of the Conference on Disarmament.

29. The PRESIDENT invited participants to take up consideration of the draft report of the Conference (PTBT/CONF/L.2).

30. He suggested that a new paragraph dealing with the draft decision just adopted should be inserted into part I of the report, after paragraph 23, under a heading reading "Decision of the Conference".

31. If he heard no objection, he would take it that the Conference wished to adopt his suggestion.

32. It was so decided.

33. The PRESIDENT suggested the addition of a new paragraph 25 along the following lines: "At its 3rd meeting, on 18 January 1991, the Committee of the Whole adopted the draft report of the Conference, as contained in document PTBT/CONF/L.2.

34. If he heard no objection, he would take it that the Conference wished to adopt that suggestion.

35. It was so decided.

36. Mr. KHERADI (Secretary-General of the Conference) said that after consultations it had been decided that the asterisk in current paragraph 24 was no longer needed and should therefore be omitted.

37. Mr. NAIMI-ARFA (Iran) proposed that a list of the countries that had participated in the general debate should be included in paragraph 19.

38. Mr. KHERADI (Secretary-General of the Conference) suggested that a text along the following lines should be inserted, as paragraph 19: "During the course of the general debate, which took place in plenary meetings from 8 to 11 January 1991 the following 63 States parties made statements". An appropriate list of States parties would follow. The next text for paragraph 19 would end with the following sentence: "In addition, Cameroon, a signatory State, also made a statement".

39. The PRESIDENT said that, if he heard no objection, he would take it that the Conference wished to adopt the new text for paragraph 19 suggested by the Secretary-General of the Conference.

40. It was so decided.

41. Mr. MELENDEZ (El Salvador) said that his delegation had not been included among the participants listed in current paragraph 24. The total number of participants was in fact 95, not 94.

42. The PRESIDENT said that an appropriate correction would be made in current paragraph 24.

43. Ms. HOINKES (United States of America) proposed that current paragraph 24 should also list the names of delegations that had made statements both before and after the vote.

44. The PRESIDENT said that, if he heard no objection he would take it that the Conference wished to adopt the proposal put forward by the representative of the United States.

45. It was so decided.

46. The draft report in document PTBT/CONF/L.2, as orally amended, was adopted.

47. Mr. GOLOVKO (Union of Soviet Socialist Republics) said he regretted that the Conference had failed to reach a consensus. However, through the extensive exchange of views that had taken place, it had made a constructive contribution to the achievement of a comprehensive test ban. He hoped that a continuing political process would supplement negotiations at the Conference on Disarmament and the talks between the United States and the Soviet Union.

48. Mr. GROOP (Finland), speaking on behalf of the Group of Western European and Other States, said that, since there were deep divisions among delegations on the subject dealt with by the Conference, it should come as no surprise that States parties had concluded that further work needed to be undertaken before a consensus could be achieved on the question of a comprehensive test ban. The President had paved the way for a most useful discussion of compliance and verification problems relating to a test ban. The Conference had thus been able to engage experts in the field in a meaningful exchange of views, which would be continued elsewhere.

CLOSURE OF THE CONFERENCE

49. The PRESIDENT said that the cessation of nuclear testing by all States for all time was a vital global objective, one that needed to be pursued at various levels, but especially at the multilateral level, so that a comprehensive test ban, when achieved, would be universally supported. The Amendment Conference had contributed in a very important way to that objective by bringing States parties together for the first time to discuss the obstacles to agreement on the discontinuance of all test explosions of nuclear weapons. It had been the result of several years of intensive efforts on the part of many States parties, and had been supported by a large segment of international public opinion. Out of that sustained effort and within the focus provided by the Amendment Conference, it had been possible to hold an invaluable exchange of views. As a result, the Conference had highlighted the urgent need to conclude a comprehensive test-ban treaty.

50. The purpose of the Conference had been to widen the scope of the partial test-ban Treaty to include underground nuclear testing and to ensure compliance - in other words, to convert the partial test-ban Treaty into a viable and effective comprehensive test-ban treaty. The debate both in the plenary meeting and in the Committee of the Whole had shown that, while most States parties favoured the immediate conclusion of a comprehensive test-ban treaty, the proposal for the amendment of the partial test-ban Treaty could not be accepted in terms of the requirements of article II of the Treaty. States parties acknowledged the complexity of such issues as verification and sanctions, but at the same time showed a firm and continuing commitment to the achievement of a comprehensive test ban.

51. He too would have wished to end the Conference's work with an agreement on substance, but none the less appreciated the constructive contributions that participants had made. The Conference had entrusted him with certain responsibilities, and he would fulfil them to the best of his ability. Despite the fact that the threat of nuclear confrontation had significantly diminished, nuclear weapons continued to be developed and refined, and weapons of mass destruction continued to accumulate. He therefore hoped that the work done by the Conference would be built upon, so that it would be possible to move forward with a renewed sense of urgency and responsibility.

52. After an exchange of courtesies, the PRESIDENT declared the Conference closed.

The meeting rose at 6.40 p.m.